

**AUBURN CITY COUNCIL
REGULAR SESSION AGENDA**

City Hall, Council Chambers
1225 Lincoln Way, Auburn, CA 95603

July 22, 2013

Closed Session 5:30 p.m.

Regular Session 6:00 p.m.

Meeting facilities are accessible to persons with disabilities. Requests for Assistive Listening Devices or other considerations should be made through the City Clerk's Office at (530) 823-4211, Ext. #112

CALL TO ORDER

ROLL CALL

By **MOTION** adjourn to a Closed Session under Government Code Section 54957.6

1. **Conference with Labor Negotiators:**

(G.C. 54957.6)

Agency Designated Representatives: Robert Richardson

Employee Group: All Units

2. **Conference with Legal Counsel; Existing Litigation**

(Gov. Code § 54956.9(d)(1))

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

Name of Case: Auburn Police Officers' Association v. City of Auburn

Names of Parties: Auburn Police Officers' Association, City of Auburn

Case No.: Third District Court of Appeal Case No. C067972

REPORT OUT OF CLOSED SESSION

PLEDGE OF ALLEGIANCE

**MAYOR'S COMMENDATIONS/PROCLAMATIONS/ACKNOWLEDGEMENTS/
ANNOUNCEMENTS**

AGENDA APPROVAL

This is the time set aside for council members and/or the public to ask for removal, postponement or a change to the listed sequence of an agenda item.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine in nature and will be approved by one blanket motion with a roll call vote.

There will be no separate discussion of these items unless persons request specific items to be removed from the Consent Calendar for discussion and separate action. Any items removed will be considered after the motion to approve the Consent Calendar.

1. **Auburn Municipal Airport 2013 Capital Improvement Project – Col. Bud Anderson Drive – Access Road Motorized Gate – Permission to Advertise**
Pages 7-16
By **MOTION**,
 1. Advertise for the Auburn Municipal Airport 2013 Capital Improvement Project – Col. Bud Anderson Drive Access Road Motorized Gate.
 2. Apply for federal assistance to fund the project.
 3. Find the 2013 Auburn Airport Capital Improvement Project (Col. Bud Anderson Drive – Access Road Motorized Gate) categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Existing Facilities), Section 15302 (Replacement or Reconstruction) and Section 15311 (Accessory Structures).
2. **Labor Agreements for the Auburn Employee Association and City Hall Employees Association**
Pages 17-20
By **RESOLUTION**, adopt the approved salary and benefit adjustment between the Auburn Employees Association and the City of Auburn for the period July 1, 2013 through June 30, 2014.

By **RESOLUTION**, adopt the approved salary and benefit adjustment between the City Hall Employees Association and the City of Auburn for the period July 1, 2013 through June 30, 2014.
3. **Contract for Interim Finance Director**
Pages 21-30
By **RESOLUTION**, approve the contract for Interim Finance Director with Anna Jatczak.
4. **Corporation Yard Equipment Purchase – Chipper**
Pages 31-34
By **RESOLUTION**, authorize the Director of Public Works to purchase a chipper from RDO Equipment Co. in an amount not to exceed \$39,000.

5. **Ratification of Placement of 2013/2014 Sewer Assessments on Tax Roll**

Pages 35-38

By **RESOLUTION**, ratify the City Council action taken on June 24, 2013 to place sewer service charges for Fiscal Year 2013/2014 on the County of Placer Tax Roll.

***** End of Consent Calendar *****

6. **Public Comment**

This is the time provided so that the public may speak to the Council on any item not on this agenda. Please make your comments as brief as possible. The Council cannot act on items not included on this agenda; however, the items will be automatically referred to staff. Please speak your name, spell your name, and provide your address if you desire. Council Members shall have the option to speak for 30 seconds on any item not on this agenda at this time.

PUBLIC HEARING

7. **Appeal of the Historic Design Review Commission's Denial of a Historic Design Review Permit for a Wall Mural Proposed at 153 Cleveland Avenue**

Pages 39-72

Based upon staff's initial Historic Design Review Commission recommendation of approval and the City Attorney's Counsel, staff recommends that the City Council take the following actions:

A. By **RESOLUTION** uphold the appeal, thereby approving the Historic Design Review Permit for the Wall Mural, based upon substantial evidence in the public record, which includes the following actions:

1. Adoption of a Categorical Exemption, prepared for the Historic Design Review Permit as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
2. Adoption of Findings of Fact to uphold the appeal and approve the Historic Design Review Permit; and,
3. Approval of the Historic Design Review Permit in accordance with the Conditions of Approval as presented in the Staff Report.

8. **Ordinance Amendment – Emergency Shelter Overlay Zone District and Transitional and Supportive Housing** **Pages 73-116**

A. By **MOTION**, adopt a Statutory Exemption prepared for the Ordinance as the appropriate level of environmental review in accordance with Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) and Guidelines;

B. By **MOTION**, adopt the following Findings of Fact for approval of an Ordinance establishing the Emergency Shelter (ES) overlay zone and permitting transitional and supportive housing in the R-3 zone:

1. The Ordinance implements State law;
2. The Ordinance is consistent with the Auburn General Plan Housing Element; and
3. The Ordinance is the minimum necessary to protect the public interest, health, safety and general welfare.

C. By **MOTION**, introduce and hold a First Reading, by title only, of the attached Ordinance (Exhibit A) establishing the Emergency Shelter (ES) overlay zone and permitting transitional and supportive housing in the R-3 zone.

9. **Rezone – Emergency Shelter Overlay (445/455 Nevada Street)** **Pages 117-180**

The Auburn Planning Commission, by a vote of 2-1 (two absent), recommends that the Auburn City take the following action:

By **MOTION**, deny the Rezone request to apply the Emergency Shelter overlay zone to the properties at 445/455 Nevada Street.

10. **Rezone – Emergency Shelter Overlay (555/570/580 Wall Street)** **Pages 181-238**

The Auburn Planning Commission, by a vote of 3-0 (two absent), recommends that the Auburn City take the following action:

By **MOTION**, deny the Rezone request to apply the Emergency Shelter overlay zone to the properties at 555/570/580 Wall Street.

COUNCIL BUSINESS

11. 1101 High Street Demolition – Bid Award Pages 239-248

By **RESOLUTION**, authorize the Director of Public Works to execute a contract with Sterling P. Holloway, III, Inc. for the demolition of 1101 High Street in an amount not to exceed \$13,800; and

By **MOTION**, authorize staff to continue with the final design and Historic Design Review Committee approval of the Downtown Restroom Project.

12. City Support for the “Tear Down the Wall” Fundraiser for the State Theatre and the COL C. E. “Bud” Anderson Monument at the Auburn Airport Pages 249-252

A. By **MOTION**, approve a \$2,000 contribution to the State Theatre “Tear Down The Wall” fundraiser from the \$10,000 set aside for the Meditation Garden mural;

B. By **MOTION**, approve an increase of \$8,000 from the set aside to the city reserve funds;

C. By **MOTION**, approve a \$10,000 contribution for the COL C. E. “Bud” Anderson Monument from the Airport Enterprise Fund.

13. League of California Cities Annual Conference/ Selection of a Voting Delegate Pages 253-256

By **RESOLUTION**, select a member of the City Council to be its voting delegate, and up to two alternate voting delegates, at the 2013 League of California Cities Annual Conference.

REPORTS

14. City Council Committee Reports

The purpose of these reports is to provide information to the city council and public on projects and programs that are discussed at committee meetings. **No decisions are to be made on these issues.** If a council member would like formal action on any of these discussed items, it will be placed on a future city council agenda.

ADJOURNMENT

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk’s Office, 1225 Lincoln Way, Room 8, Auburn, CA 95603 during normal business hours.